

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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New England Telephone and Telegraph)	
Company d/b/a Bell Atlantic-Massachusetts)	D.T.E. 99-271
Section 271 of the Telecommunications)	
Act of 1996 Compliance Filing)	
)	

MOTION OF WORLDCOM, INC. FOR CONFIDENTIAL TREATMENT

Pursuant to paragraph 5 of the Protective Order adopted by the Department of Telecommunications and Energy (“Department”) in this proceeding on October 19, 1999, WorldCom, Inc. (“WorldCom”) hereby requests that certain information being supplied in response to an information request in this proceeding receive confidential treatment. Specifically, WorldCom requests that information responsive to Request No. 2 of the Information Requests issued by the Department on July 26, 2000 concerning “relevant documentation concerning the LSOG 4 errors uncovered by WorldCom but not by KPMG as a result of WorldCom’s test of the June 2000 LSOG 4 release” be deemed by the Department to be Highly Sensitive Confidential Information which will be available for review by the Department and Bell Atlantic only. As grounds for its Motion, WorldCom states as follows:

I. WorldCom’s Responses Contain Highly Sensitive Confidential Information

Information Request No. 2 asks for relevant documentation concerning the LSOG 4 errors uncovered by WorldCom but not by KPMG as a result of WorldCom’s test of the June 2000 LSOG 4 release. That documentation -- two “issues logs” that have taken WorldCom months

to compile -- is extremely sensitive and should not be subject to disclosure to the public or to any of the participants save for Bell Atlantic, which, as the entity with whom we have been working to resolve LSOG 4-related problems, already possesses (and keeps confidential) this information. If released, this carrier-specific information would undoubtedly provide competitors with valuable insights regarding the degree to which WorldCom has been able to identify and work through literally hundreds of documentation, software and other errors in the LSOG 4 release, as well as insight into WorldCom's own internal processes. At great expense, WorldCom has dedicated substantial resources to the task of ensuring that its migration to the LSOG 4 release will be as seamless as possible. This effort has provided WorldCom with an advantage over other competitors who have chosen not to examine the LSOG 4 release with the same degree of rigor as has WorldCom. It would be patently unfair to permit this highly sensitive, competitively valuable information, which is proprietary to WorldCom, to fall into the hands of other carriers.

II. WorldCom's Highly Sensitive Confidential Information Should Be Protected From Disclosure

Commercially confidential and competitively sensitive information of the type described above is precisely the type of data that G.L.c. 25, §5D authorizes the Department to protect from disclosure to third parties. The Department has previously recognized that competitively sensitive carrier-specific data should be accorded confidential treatment and should not be placed in the public record or shared with competing carriers.

In the *Consolidated Arbitrations*, D.T.E. 96-73/74, 96-75, 96-80/81, 96-83 and 96-84, the Department determined that Bell Atlantic-Massachusetts' monthly carrier specific performance reports, which contained information about orders of carriers for interconnection trunks, unbundled

network elements and resold services, were competitively sensitive and should not be disclosed to other parties. See, *Hearing Officer Ruling on Bell Atlantic Motion for Protective Treatment of Performance Standards Reports*, issued October 21, 1999. See also, *Hearing Officer's Ruling on the Motion of CMRS Providers for Protective Treatment and Requests for Non-Disclosure Agreement*, D.P.U. 95-59B, at 7-8 (1997) (recognizing that sound public policy warrants the protection of proprietary information in a competitive market place).

III. Conclusion

For the reasons stated above, WorldCom requests that its Motion for Confidential Treatment be granted.

Respectfully submitted,

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Dated: August 3, 2000

Certificate of Service

I hereby certify that I caused a true copy of the above document to be served, via mail and/or email, upon the attorney of record for each other party on August 3, 2000.
